

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

INDIANA RECYCLING & RENEWABLE)
FUELS, LLC d/b/a ILLINOIS RECYCLING &)
RENEWABLE FUELS,)

Plaintiff,)

v.)

Case No. 2:16-cv-272

EARTH MANAGEMENT SERVICES OF)
ILLINOIS, INC.; CHICAGO HEIGHTS LAND)
MANAGEMENT, INC.; and ROBERT FOX,)

Defendants.)

MOTION FOR LEAVE TO WITHDRAW REPRESENTATION

COME NOW, Attorneys of Record, KIRK A. PINKERTON and JOHN R. TERPSTRA, of Hinshaw & Culbertson LLP, for Plaintiff, Indiana Recycling & Renewable Fuels, LLC d/b/a Illinois Recycling & Renewable Fuels, and respectfully request this Court grant them leave to withdraw as counsel in this matter. In support of their Motion, undersigned counsel state as follows:

1. KIRK A. PINKERTON and JOHN R. TERPSTRA each filed an appearance in this matter on behalf of Plaintiff on or about June 24, 2016.
2. As part of the agreement of representation, Plaintiff undertook certain obligations to undersigned counsel for services to be rendered.
3. Plaintiff has failed, and continues to fail, to substantially fulfill its obligation to undersigned counsel, and their law firm, regarding undersigned counsel's services.
4. Undersigned counsel have given reasonable warning to Plaintiff that should each would withdraw unless its obligations are fulfilled.

5. Plaintiff additionally insists upon taking an action in this matter that undersigned counsel fundamentally disagree.

6. Undersigned counsel served Plaintiff with notice of their intent to withdraw by letter dated December 9, 2016, a copy of which is attached hereto as **Exhibit A**.

7. Seven (7) days have elapsed since the date of said notice.

8. Undersigned counsel understands Plaintiff's last known contact information as: 21686 East Lincoln Highway, Suite E, Lynwood, IL 60411 with phone number (219) 290-6912.

9. Plaintiff, to date, had not retained new counsel in this matter.

10. Plaintiff should be afforded a reasonable time of twenty-one (21) days to retain new counsel.

WHEREFORE, Attorneys of Record, KIRK A. PINKERTON and JOHN R. TERPSTRA of Hinshaw & Culbertson LLP, having filed their appearances in this matter on behalf of Indiana Recycling & Renewable Fuels, LLC d/b/a Illinois Recycling & Renewable Fuels, hereby respectfully request this Court grant them leave to withdraw their appearances in this matter.

Respectfully submitted,

HINSHAW & CULBERTSON LLP

By: /s/ John R. Terpstra

John R. Terpstra (27362-64)

Kirk A. Pinkerton (5747-45)

Attorneys for Plaintiff, INDIANA

RECYCLING & RENEWABLE FUELS, LLC

d/b/a ILLINOIS RECYCLING &

RENEWABLE FUELS

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Schererville, IN 46375

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CERTIFICATE OF SERVICE

I certify that on the 16th day of December, 2016, a copy of the foregoing pleading was made upon each attorney listed below via the Court's Electronic Filing System.

/s/ John R. Terpstra

Daniel V. Kinsella: DKinsella@SRCAttorneys.com

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